

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

TECHNOLOGY CREDIT
CORPORATION,

Plaintiff,

v.

KEY EQUIPMENT FINANCE, INC., et al.

Defendants.

Case No.: C 08-3605 PVT

**ORDER RE PARTIES STIPULATED
REQUEST FOR STAY**

On April 22, 2009, the parties filed a Stipulation Requesting Stay of Litigation Pending Resolution of Related Case in Northern District of Georgia (Atlanta Division).¹ Both parties have consented to Magistrate Judge jurisdiction. Based on said stipulation and the file herein,

IT IS HEREBY ORDERED that, absent further order of the court, no later than May 29, 2009, the parties shall file a stipulated dismissal that includes the following two provisions:

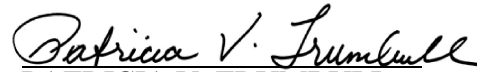
- 1) that the court retains jurisdiction to enforce the terms of the Settlement Agreement between the parties; and
- 2) that in the event of a breach of the Settlement Agreement by Defendant, the court will set aside the dismissal and Plaintiff may submit the Stipulated Judgment for issuance and entry by the court.

IT IS FURTHER ORDERED that, if either party finds the above procedure unacceptable,

¹ The holding of this court is limited to the facts and the particular circumstances underlying the present motion.

1 then no later than May 15, 2009, that party shall file an objection setting forth the reasons they find it
2 unacceptable. The court is not inclined to stay this case indefinitely pending resolution of another
3 lawsuit. However, the court is willing to consider alternatives other than the one set forth above.

4 Dated: 5/1/09

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6 PATRICIA V. TRUMBULL
7 United States Magistrate Judge
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